

Minutes of a Special Meeting of The Common Council of The Town of Clarkdale
Held on Tuesday, February 24, 2004, in the
Men's Lounge of the Clarkdale Memorial Clubhouse, Clarkdale, Arizona.

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 24, 2004 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

Town Council:

Mayor	Michael Bluff
Vice Mayor	Ellie Bauer
Councilmember	David Leibforth
	Rex Williams
	Tom Groom (absent)

Staff:

Town Attorney	Robert Pecharich
Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Planning Director	Steven Brown
Police Chief	Pat Haynie
Public Works	Alison Pujari
Finance Director	Coleen Gilboy
Finance Assistant	Georgia Sa
Admin. Assistant	Charlotte Hawken

Others in attendance: Robyn Prudhomme-Bauer, Mark and Mosha Randall, Pat Williams, Shelby Maynard, Doug Von Gausig, George Anne Ford, Crystel Turner, Wayne Ferguson, Mike Johnson, Howard Beck, Dianne Brownul, Mark Brownul, Frank Sa, Ray Selna and others who did not sign in.

CALL TO ORDER Mayor Bluff called the meeting to order at 6:08 p.m. and noted that Council member Groom was absent.

PUBLIC COMMENT - Rex Williams, 1160 Old Jerome Highway, congratulated the Town staff for the great job done in preparing for and conducting the opening of the play, Greater Tuna.

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items approved with one motion. Any items may be removed for discussion at the request of any Council Member.

2. Research the possibility of establishing an ordinance to revise the Town Code requiring underground installation of all new utilities to address future issues.

Vice Mayor Bauer pulled Item A and Mayor Bluff pulled Item C. Without objection, the Council approved Item B.

Item A - Vice Mayor Bauer noted this is a resolution appointing **Crystal Turner** to the Parks and Recreation Commission. Vice Mayor Bauer moved to approve Item A, Mayor Bluff seconded and it passed unanimously.

Item B - Mayor Bluff moved to approve Item B after changing the last paragraph about considering this project the highest priority, to be replaced with something like the following: "The Town of Clarkdale strongly supports the efforts of the State of Arizona and Yavapai County in addressing our regional transportation needs." Vice Mayor Bauer seconded and it passed unanimously.

A. **Resolution # 1086** - Approval of a resolution making an appointment to the Parks and Recreation Commission.

B. **Contract** - Approval of a contract with Waste Management for trash services.

C. Letter of Support - Approval of a letter to the State Transportation Board supporting the widening of State Route 260.

ARIZONA PUBLIC SERVICE 89A POWER LINE PROJECT - A presentation regarding APS' upcoming project on 89A, with discussion and direction to staff regarding the Town's interest in participating in the project. Planning Director Brown read the staff report, concluding with two recommendations, as follows:

1. Enter into an agreement with APS and the City of Cottonwood to share the cost of placing the proposed line underground. The maximum cost of Clarkdale's one-third portion would be \$46,667, payable early in the 04/05 fiscal year.

Wayne Ferguson, Arizona Public Service (APS) area supervisor, stated the existing power feeder line out of Verde Heights has reached its capacity. APS wants to bring another feeder line to

Clarkdale on a fast track. APS needs to know whether it will be constructed overhead so that the line can be completed by June 2004. He stated the line crosses Highway 89A and then crosses back because they wanted to avoid the wider washes on the east side of the highway and doing so provides a line on the west side for growth on that side. He stated Cottonwood had tabled this topic to their meeting on March 3rd. He stated APS was not considering using the existing feeder circuit east of and parallel to Highway 89A because it would be too costly because they would have to excavate in a developed area and work on a live line.

Without objection, the item was opened to public comment. There was none and it was closed.

It was noted that in order to require developers to bury utility lines there must be a change in the ordinance dealing with that topic, that it would be difficult to recover the cost to the Town if the line was buried now, and that it would be more costly to do it later.

The Council agreed not to pay to have the line buried at this time.

Vice Mayor Bauer moved to research the possibility of establishing an ordinance to revise the Town Code requiring underground installation of all new utilities to address future issues. Mayor Bluff seconded and the motion passed unanimously.

PECK'S LAKE/VERDE VALLEY RANCH DEVELOPMENT - Direction to staff regarding council preferences for future development/and or conservation uses set at the October, 2003 Strategic Planning Session relating to the Peck's Lake Area and the Verde Valley Ranch Development. It was noted that the Council has met in executive session with the Trust for Public Lands regarding legal advice as it affects the development agreement with Phelps Dodge. The Council agreed to continue this item to some future agenda after the Council has met with Phelps Dodge. The Council asked staff to Councilmember Williams moved to adopt the staff recommendation that the code remain unchanged at this time and that the issue be readdressed, if enforcement issues warrant policy changes, in the

schedule a meeting with the Phelps Dodge representative as soon as possible.

LETTERS REGARDING PROPOSED STATE LEGISLATION - Consideration of sending letters to state representatives regarding the following bills proposed in Arizona Legislature:

- HB2289 - Appropriation; water studies
- HB2632 - Water providers; reporting requirements
- HB2633 - Adequate water supply; well impacts
- HB2634 - Land use planning; water resources
- SCR1014 - Lottery monies; reallocation; raffles
- HB2150 - CAWCD; water amendments
- HB2151 - Water; exempt wells
- HB2152 - Multi-county water district; technical correction
- HB2111 - Bonds; overrides; publicity pamphlets
- SB1043 - Municipal business location incentives; rebate
- HB2400 - Vested property rights

Vice Mayor Bauer moved to send letters to state representatives supporting the following bills: HB2289, HB2632, HB2633, HB2634, HB2150, HB2151, HB2152; and to send letters opposing the following bills: SCR1014, HB 2111, SB1043 and HB2400. Councilmember Williams seconded and the motion passed unanimously.

The Council directed staff to send the letters.

POULTRY PERMITS - Discussion and direction to staff regarding Town Code Section 6-1-5, relating to permits for poultry. Town Manager Mabery noted that current regulations allow a maximum of ten poultry on lots with a minimum of 10,000 square feet and that they must be kept penned. Police Chief Haynie stated that the number of problems with poultry varies over time and include complaints about noise, feathers and smell.

future. Councilmember Leibforth seconded and the motion passed unanimously.

PUBLIC HEARING - A hearing to obtain

public input on proposed changes the Chapter 12 Subdivision Regulations of the Town Code to add a Minor Subdivision Process. Planning Director Brown summarized that the proposed ordinance will have the following impacts:

1. The Preliminary Plat process is replaced with a Minor Subdivision Plat process which requires the same information be submitted, but fewer copies of that information. By doing so, the need for the Public Hearing at this stage is eliminated as well.
2. Establishes the Subdivision Committee consisting of one member of the Commission, the Planning Director, and the Public Works Director to review and approve Minor Subdivisions on an administrative basis.
3. Arizona Revised Statutes provide for the ability to waive the need for the Preliminary Plat. However, the Final Plat may not be waived. Minor Subdivisions will still need to go through that process, which includes a public hearing.
4. All Minor Subdivisions will be subject to the same requirements for filing with the State Real Estate Board, as if they were following the full subdivision route. Nothing in the creation of the Minor Subdivision process exempts the property owner from this requirement.
5. Requires dedication of road rights-of-way and establishes specific road design standards for Minor Subdivisions.
6. Establishes the need to submit a Site Evaluation as a first step in determining the level of study and design required to develop a drainage plan for the Minor Subdivision.
7. Requires all road right-of-ways dedicated to include an 8' Public Utility Easement, on one side, along the entire frontage.

ORDINANCE - An ordinance making changes to Chapter 12, Subdivision Regulations of the Town Code by adopting by reference that certain document known as the "Proposed Minor Subdivision Process"; repealing conflicting ordinances and providing for severability. Councilmember Williams moved to adopt Ordinance #260 making changes to Chapter

It was noted that the issue that puts a property into the Minor Subdivision category is how many times it and it's parent property have been split since the base year of 1986. If there have been less than three splits, then the owner can use the Minor Land Division process to create a current split. If there have already been three splits, then they must use the Minor Subdivision process.

Without objection, public comment was opened. **Ray Selna**, 1530 Selna Circle, stated he appreciates the Town's efforts to address the issues and work with landowners. He stated his concern is for the owners with one to three splits and he'd like for them to pay less and have less paperwork.

Robyn Prud'homme Bauer, 1750 Cholla, a member of the Planning Commission, thanked the staff and residents who worked on this process. She stated the main issues were drainage and roads, which apply equally to all divisions. She stated there should be a requirement for a public meeting for all divisions.

The public hearing was closed.

RESOLUTION #1087 - A resolution declaring as a public record that certain document filed with the Town Clerk and entitled "Proposed Minor Subdivision Process". It was noted that there is possible confusion with the use of the word "subdivision", that the fee structure will be established in the fee resolution, which might be laddered according to the number of splits.

Mayor Bluff moved to adopt Resolution #1087 declaring as a public record that certain document filed with the Town Clerk and entitled "Proposed Minor Subdivision Process". Vice Mayor Bauer seconded and the motion passed unanimously.

12, Subdivision Regulations of the Town Code by adopting by reference that certain document known as the "Proposed Minor Subdivision Process"; repealing conflicting ordinances and providing for severability. Vice Mayor Bauer seconded and the motion passed unanimously.

PUBLIC HEARING - A hearing to obtain public input on proposed changes to the

Zoning Code and Town Code regarding camping and the use of recreational vehicles. It was noted that the expectation is that the recreational vehicle or travel trailer would be self-contained. Without objection, the public hearing was opened. **Frank Sa**, 309 main Street, noted that some travel trailers are not self-contained.

Howard Beck, 531 Raven Hill Road, asked about using a pop-up trailer only for overflow sleeping with use of the indoor bathroom. It was agreed this situation would not be allowed under this ordinance. The public hearing was closed. It was noted that use as a rental or for a caretaker would not be allowed and the Town Code already covers storage of recreational vehicles.

ORDINANCE - An ordinance making changes to Section 10-1-21 of the Town Code and Section 17C of the Zoning Code regarding camping and the use of recreational vehicles during construction; repealing conflicting ordinances and providing for severability. Vice Mayor Bauer moved to adopt Ordinance #261 making changes to Section 10-1-21 of the Town Code and Section 17.C of the Zoning Code regarding camping and the use of recreational vehicles during construction; repealing conflicting ordinances and providing for severability, adding the wording "provided with a self-contained sewage collection system" to the end of Section 1-B-3. Councilmember Leibforth seconded and the motion passed unanimously.

PUBLIC HEARING - A hearing to obtain public input on a proposed increase in wastewater connection fees. The topic discussed included the following:

1. A homeowner pays when they connect to the system.
2. A new home would pay the \$1000 development fee. The public hearing was closed. It was noted that a few other fee changes are included in the resolution regarding library fines and the timing of the payment of the plan check fee within building permit process.

RESOLUTION - Consideration of a resolution changing fees for the Town of Clarkdale, including the increasing the town's residential

fee (which pays to extend the line to an unserved area) and the proposed \$3242 connection fee (which pays for expansion of the wastewater system).

3. Currently some homes could connect but have not and are not paying user fees.
4. Whether it is the Town's responsibility to inform each owner who might benefit by connecting in the next 30 days, before the new fee becomes effective.
5. The Town is now evaluating fees biannually.
6. Total build out numbers were used in the calculation of the fee to keep the fee lower.
7. The Mountain Gate development could be required to build the lines in lieu of the development fee.

Without objection, the public hearing was opened. **Patricia Williams**, 1130 Sunrise Drive in Mingus Shadows, stated she that she knows two people who are trying to connect to the sewer before the proposed change of fee goes into effect, but they have been delayed in doing so. She asked if she would be required to connect if the line was extended to her location.

Doug Von Gausig, 630 Cliffside Drive, asked if a payment plan is available for existing owners who connect. Town Manager Mabery noted that generally when collector systems go into an existing area they go in as a special district and the district will finance the connection assessment.

Frank Sa, 309 Main Street, asked if there is a minimum lot size for a septic system. It was noted that the county environmental services has a requirement of a minimum distance from a well. There can be a problem of wastewater leaching into water table where septic systems are used.

wastewater connection fee.

Councilmember Williams moved to approve Resolution #1088 setting fees for the Town of Clarkdale. Vice Mayor Bauer seconded and the motion passed unanimously.

WORKSESSION - A worksession regarding the Facilities Master Plan for the Town of

Clarkdale. The Council agreed to table this item to March 23rd.

WORKSESSION - A worksession to discuss possible projects and programs to submit for grant funding. The Council agreed to table this item to March 23rd.

ADJOURNMENT - With no further business before the Council and without objection, the meeting adjourned at 8:30 p.m.

APPROVED:

Michael Bluff, Mayor

SUBMITTED:

Charlotte Hawken, Administrative Assistant

ATTESTED:

Joyce Driscoll, Town Clerk